

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

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|-------------------------|---|---------------------------|
| RAY COLGROVE | § | |
| VS. | § | CIVIL ACTION NO.9:11cv100 |
| MED TECH GIBSON, ET AL. | § | |

ORDER ADOPTING REPORT AND RECOMMENDATION

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Judith K. Guthrie. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, recommends that Plaintiff's claims against Defendants UTMB, Oliver, Rescano, Mayfield, Crawford, Hicks and Sanford be dismissed as frivolous pursuant to 28 U.S.C. § 1915A(b)(1) and that Sgt. Luna-Brooks be dismissed from this lawsuit as improvidently transferred to this Court. It further recommends that Med Tech Langham/Farmer be terminated from the docket of this matter because he is not named in Plaintiff's amended complaint. Finally, it recommends that Defendants Med Techs Gibson, Brice and "Jane Doe" be required to answer the claim of deliberate indifference to Plaintiff's medical needs. No objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore

ORDERED that Defendants UTMB, Oliver, Rescano, Mayfield, Crawford, Hicks and Sanford are hereby dismissed as frivolously named pursuant to 28 U.S.C. § 1915A(b)(1). It is further

ORDERED that Sgt. Luna-Brooks be dismissed from this lawsuit as improvidently transferred to this Court. It is further

ORDERED that Med Tech Langham/Farmer be terminated from the docket of this matter. It is finally

ORDERED that Defendants Med Techs Gibson, Brice and “Jane Doe” shall be ordered to answer the claim of deliberate indifference to Plaintiff’s medical needs.

So **ORDERED** and **SIGNED** this **21** day of **December, 2011**.

A handwritten signature in black ink, appearing to read "Ron Clark", is positioned above a horizontal line.

Ron Clark, United States District Judge